

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:03CV152**

**ANNA V. SCHILLING,**

**Plaintiff,**

**Vs.**

**RUTHERFORD PEDIATRICS, P.A., a  
North Carolina Professional  
Association,**

**Defendant.**

**ORDER**

**THIS MATTER** is before the Court on the parties' motion to rescind the previous Writ of Execution and dissolve the order of attachment of Plaintiff's bank account at Carolina First Bank.

The writ of execution issued August 11, 2005, expired on November 12, 2005, and was not reissued; therefore, the funds in Plaintiff's bank account could have been released after that date. Additionally, Defendant filed a cancellation of court costs on May 11, 2006, but this is apparently insufficient for the Bank to release Plaintiff's account. Therefore, for the reasons stated in the Defendant's motion,

**IT IS, THEREFORE, ORDERED** that the Defendant's motion is **ALLOWED**; the writ of execution issued August 11, 2005, has now **EXPIRED**, and order of attachment is hereby **DISSOLVED**.

Signed: January 7, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

